IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER, TWO THOUSAND AND THREE

PRESENT

THE HONOURABLE DR. JUSTICE : MOTILAL B. NAIK.

AND

THE HON'BLE MR. JUSTICE : DALAVA SUBRAHMANYAM.

WRIT PETITION No : 23909 OF 2003

Between:

M/s Bharti Mobile Limited., a Company registered under the Companies Act., having its registered office Qutab Ambience, H-5/12, Mehrauli Road., New Delhi-11 020 and its A.P. Circle Office at 2nd Floor., My Home Tycoon, Kundan Bagh., Begumpet,. Hyderabad-500 016 rep. by its Constituted Attorney K.B.S. Sharma.

Petitioner

AND

1 Government of Andhra Pradesh represented by its Secretary to Government, Revenue (Commercial Tax) Department., Secretariat Buildings., Hyderabad.
2 The Commissioner of Commercial Taxes., Government of Andhra Pradesh., Hyderabad.
3 Assistant Commissioner (CT) No.II Enforcement Wing, 3rd Floor., Griha Kalpa Building., Nampally., Hyderabad.
4 The Commercial Tax Officer., Basheerbagh Circle, Hyderabad.
5 The Standard Chartered Bank, Somajiguda Branch, represented by the Manager, Somajiguda., Hyderabad.

Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari calling for the records relating to the Final Assessment order for the year 2000-2001 bearing GI No.3471/2000-2001 (APGST), dt 03/07/2003 of the Commercial Tax Officer, Basheerbagh Circle, Hyderabad and quash the same and further declare the consequential Notice Under Sec. 17 of the A.P. General Sales Tax Act bearing Rc. No. /03/04 dt 11/11/2003 as illegal and void.

The petition coming on for orders as to admission, upon perusing the petition and the affidavit filed therein and upon hearing the arguments of Mr. P. Kamalakar, Advocate for the Petitioner and the Special Govt. Pleader for Taxes, for the respondents 1 to 4, the Court made the following

ORDER:

" Learned Spl. G.P. for Taxes takes notice on behalf of the respondents and seeks time to obtain instructions.

Post on 18-11-2003 for admission.

Pending admission there shall be interim suspension of the notice dt. 11-11-2003 issued u/s. 17 of the A.P.G.S.T. Act. "

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Secretary to Government, Government of Andhra Pradesh, Revenue (Commercial Tax) Department., Secretariat Buildings., Hyderabad.
2 The Commissioner of Commercial Taxes., Government of Andhra Pradesh.,

Hyderabad.

3 The Assistant Commissioner (CT) No.II Enforcement Wing, 3rd Floor., Griha Kalpa Building., Nampally., Hyderabad.

4 The Commercial Tax Officer., Basheerbagh Circle, Hyderabad.

5 The Manager, Standard Chartered Bank, Somajiguda Branch, Somajiguda., Hyderabad.

6. Two CCs to Spl. G.P. for Taxes, High Court of A.P., Hyderabad. **(OUT)**

7. Two spare copies.

USR.